



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 (1) of the Private Housing (Tenancies) (Scotland) Act 2016.

Chamber Ref: FTS/HPC/CV/23/3510

Re: Property at 236 Second Avenue, Uddingston, G71 6AY (“the Property”)

Parties:

R K Smith Properties LTD, 72 Birchwood Avenue, Glasgow, G32 0NR (“the Applicant”)

Miss Natalie Harper (SBA), Ms Pauline Doyle, Unknown, Unknown; Flat 2, Louden House, 49 Union Street, Hamilton, ML3 6NA (“the Respondent”)

Tribunal Members:

Andrew McLaughlin (Legal Member)

Decision

[1] The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) granted the Application and made a Payment Order in favour of the Applicant against the Respondent in the sum of £1,597.23.

Background

[2] The Applicant seeks a Payment Order for rent arrears said to have been accrued by the Respondents under a tenancy between the parties. The Application is accompanied by a copy of the relevant tenancy agreement and a rent statement.

The Case Management Discussion

[3] The Application called for a Case Management Discussion (CMD) by conference call at 10 am on 23 February 2024. The Applicant was represented by Ms Smith of Arc

Property Sales and Letting. The Respondents were both personally present. The parties all agreed that there currently were rent arrears lawfully due to the Applicant in the sum of £1,597.23. Having heard from parties, the Tribunal made the following findings in fact.

Findings in Fact

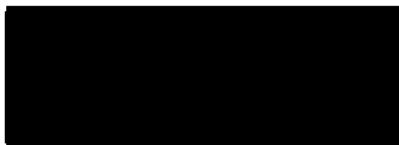
- I. *The Applicant let the Property to the First Respondent under a Private Residential Tenancy Agreement. The Second Respondent undertook to guarantee the performance of the First Respondent's obligations under the tenancy;*
- II. *The First Respondent fell into rent arrears and the sum of £1,597.23 is currently due as rent arrears by the Respondents to the Applicant but remains unpaid.*
- III. *The Second Respondent is jointly and severally liable for the sum claimed as result of the guarantee agreement entered into.*

Reasons for Decision

[4] Having made the above findings in fact, The Tribunal granted the Application and made a Payment Order in favour of the Applicant against the Respondents in the sum of £1,597.23.

Right of Appeal

In terms of Section 46 of the Tribunal (Scotland) Act 2014, a party aggrieved by the decision of the Tribunal may appeal to the Upper Tribunal for Scotland on a point of law only. Before an appeal can be made to the Upper Tribunal, the party must first seek permission to appeal from the First-tier Tribunal. That party must seek permission to appeal within 30 days of the date the decision was sent to them.



Legal Member/Chair

23 February 2024

Date